

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-357-W/S - ORDER NO. 2005-295
JUNE 7, 2005

IN RE: Application of Carolina Water Service, Inc.)
for Adjustment of Rates and Charges and)
Modification of Certain Terms and)
Conditions for the Provision of Water and
Sewer Service.) ORDER EXTENDING
ISSUANCE DATE OF
MERITS ORDER

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of an extra five (5) days to issue the Order in this water and sewer rate case docket involving Carolina Water Service, Inc. (CWS or the Company). S.C. Code Ann. Section 58-5-240 (C)(Supp. 2004) requires this Commission to rule and issue its order approving or disapproving any rate changes in full or in part within six months after a rate change request is filed. S.C. Code Ann. Section 58-5-240 (D) (Supp. 2004), however, states that should the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue such order within the six-month period prescribed by this section, the Commission may, by order, extend the six-month period for an additional five days. In the present case, we believe that such circumstances exist, and we hereby order an extension of the issuance date of the merits order in this case from June 17, 2005, to June 22, 2005.

The “circumstances reasonably beyond our control” are clear in this matter. Because of the Commission’s need to hold a complex telecommunications arbitration

hearing, we will not be able to vote on the merits in this case in regular session until June 16, 2005. The merits Order is due for issuance on June 17, 2005. Thus, the June 17, 2005 issuance date does not give the Commission or the Staff sufficient time to prepare and review the merits order regarding this Docket. The additional five days allows for proper preparation and a full review of all aspects of the merits order in this very complex water and sewer case. Accordingly, we make the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The matter under consideration is an additional five (5) days to issue the merits order in this Docket as allowed by S.C. Code Ann. Section 58-5-240(D)(Supp. 2004).
2. The actual extension would be from June 17, 2005 to June 22, 2005.
3. There are clearly “circumstances beyond our control” existing in this instance that warrant the extension for issuance of the merits order in this Docket.
4. Due to this Commission’s need to hold a complex telecommunications arbitration hearing, we will not be able to vote on the merits of this case until June 16, 2005. The merits order is due to be issued on June 17, 2005. Under the present schedule, there is insufficient time for preparation of the Order and proper review of the Order by Staff and Commissioners.
5. The time for issuance of the merits order in this case should be extended to June 22, 2005.

ORDER

It is therefore ordered that the time for issuance of the merits order in this Docket shall be extended to June 22, 2005. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)